IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLN.NO.1520 OF 2007

Manik Devdas Deshmukh ..Applicant

Vs.

State of Maharashtra ..Respondents

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Mr.S.P.Thorat Advocate for Applicant
Mr.S.S.Pednekar A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 18, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking anticipatory bail in C.R.No.41 of 2007 of Wadivhare Police Station, Taluka Igatpuri. The said case is under Sections 304, 328 r.w. 34 of IPC.

3. It is an admitted fact that the applicant has a licence to run a "Tadi shop". Admittedly, the applicant had given the shop to Mr.Kisan Balraj Gaud (co-accused) for conducting the business of sale of Tadi in the said shop. On 27.3.2007 two persons consumed "Tadi" from the said shop. Both of them fell sick and lateron one of them i.e. Khandu expired. It is the prosecution case that

some poisonous substance might have been mixed in the "Tadi". There is no C.A. report to substantiate this contention. Moreover, admittedly the applicant was not conducting the business in the said shop at the relevant time and Mr.Kisan Balraj Gaud (co-accused) was carrying on business of sale of Tadi in the said shop. Looking to this fact, I am inclined to grant anticipatory bail to the applicant.

4. In the event of arrest, the applicant-Manik Devidas Deshmukh to be released on bail in the sum of Rs.40,000/- (Rs.forty thousand only) with one or two sureties to make up the said amount in C.R.No.41 of 2007 of Wadivhare Police Station, Taluka Igatpuri. The applicant shall report to the concerned Police Station for a period of eight days from 20.6.2007 from 10 a.m. to 2 p.m. and thereafter once in a fortnight till the conclusion of trial.

5. Application is disposed of.

[Smt. V.K.Tahilramani, J.]